



Planning peer challenge

Isle of Wight Council
17 to 19 May 2022

Report
Final

Contents

1 Background and scope of the peer challenge	4
2 Executive summary	6
Recommendations	7
3 Context	8
4 Recent history	9
5 Issues	10
6 Vision and leadership.....	11
7 Planning committee	12
8 Planning service – development management issues	14
Recommendations	15
Resources	16
9 Partners and partnerships	17
10 Answering the six scope questions	18
Scope question 1.....	18
Scope question 2.....	18
Scope question 3.....	18
Scope question 4.....	19
Scope question 5.....	19
Scope question 6.....	19
11 LGA support	20
Planning Advisory Service – further support	20
Peer support	20
Best practice examples from the peer challenge team	21
12 Next steps.....	22

1 Background and scope of the peer challenge

- 1.1 This report is a summary of the findings of a planning peer challenge organised by the Local Government Association (LGA) in cooperation with the Planning Advisory Service (PAS) and carried out by trained local government peers. Peer challenges are managed and delivered by the sector for the sector. They are improvement oriented and are tailored to meet individual councils' needs. They are designed to complement and add value to a council's own performance and improvement focus. They help planning services review what they are trying to achieve, how they are going about it; what they are doing well and where they need to improve.
- 1.2 The peers use their experience and knowledge of local government to reflect on the information presented to them by people they meet, things they see and material they read. The interviews and focus groups that take place do so on the basis that the peer team do not seek to identify individual views in the feedback. The peer team seek to triangulate the information they read, see and hear and do so in a no surprises format. All recommendations are made as critical friends in good faith with the aim of helping the service drive improvement.
- 1.3 The peer challenge involves an assessment against a framework for a local authority planning function which explores:
 - **Vision and leadership** – how the authority demonstrates high quality leadership to integrate spatial planning within corporate working to support delivery of corporate objectives.
 - **Community engagement** – how the authority understands its community leadership role and community aspirations. Then how the authority uses spatial planning to deliver community aspirations.
 - **Management** – the effective use of skills and resources to achieve value for money, accounting for workload demands, ensuring capacity and managing the associated risks to deliver the authority's spatial vision.
 - **Partnership engagement** – how the authority has planned its work with partners to balance priorities and resources to deliver agreed priorities.
 - **Achieving outcomes** – how the authority and other partners are delivering sustainable development outcomes for their area
- 1.4 In addition to using the preceding five themes the peer challenge team were made aware that the council has a key objective in the new corporate plan 2021-25 which is to:
 - **review, enhance and improve our planning department to improve outcomes and adherence to statutory obligations;**
 - **complete a peer review of the service and identify areas of best practice and for improvement against comparator authorities, implement an action plan in response to the recommendation of any review;**

Within this context the peer team were also asked to consider the following questions which we have answered towards the end of this report.

- 1 Whether the draft local plan is aligned to deliver the objectives of both the corporate plan and the council regeneration strategy.
- 2 The capacity of the planning service to encourage, manage and support the implementation of the regeneration strategy and the associated journey of planning applications.
- 3 A review of the 'customer focus' of the service and is it perceived as being open for growth? (Anti or pro development).
- 4 The processes and technology deployed in the planning application journey.
- 5 The level of corporate, political and managerial understanding of, and support to, the planning service and if it is sufficient to enable the adoption of a local plan which delivers the regeneration strategy.
- 6 Assess the operation of the planning committee and comment on areas that might assist in driving improvement in decision making.

1.5 The members of the peer challenge team were:

- Nicola Stinson, Strategic Director for Place, Economy and Environment, Isles of Scilly.
- Councillor Julian German, Member of the Strategic Planning Committee, Cornwall Council.
- Tracy Harvey, Head of Planning and Building Control, St Albans City and District Council.
- Karen Syrett, Lead Officer for Planning, Housing and Economic Growth, Colchester Borough Council.
- Marcus Coulson, Peer Challenge Manager, Local Government Association.

1.6 The Local Government Association makes a significant investment in each planning peer challenge and wants to support councils with implementing the recommendations as part of the council's improvement programme. After the planning peer challenge report is finalised, the following support is available to the council from the Planning Advisory Service:

- A range of additional planning support from PAS, the most relevant bits of which are identified at the end of the report; see the website for more details The latest news from PAS | Local Government Association.
- A range of other support from the LGA – some of this might be at no cost, some might be subsidised, and some might be fully charged www.local.gov.uk

1.7 As part of an impact assessment and evaluation of its support, PAS or the LGA may get in touch in six to 12 months to find out how the council is implementing the recommendations and what beneficial impact came from this.

1.8 The team appreciated the welcome and hospitality provided by Isle of Wight Council and partners and the openness in which discussions were held. The team would like to thank everybody they met during the process for their time and contributions. In particular the peer team would like to thank Chris Ashman, Director of Regeneration, Ashley Curzon, Assistant Director of Regeneration, Economic Development, Planning and Assets and Elaine Hawkins, Corporate Management Support Lead Officer (Regeneration Team) for their invaluable assistance in planning and carrying out this planning peer challenge.

2 Executive summary

There is significant passion expressed by councillors, officers and local people on the Isle of Wight which is presently focused on housing, development and growth. But particularly the former. There is considerable local opposition to house building developments by local people and some of their representatives on the Island. The challenge for all concerned is to consider how the passion for One Island, One Council can be harnessed to enable councillors and officers to work together effectively. This should be done within a framework of respect for others and their differing views and motivations. It is recognised by all that there is a need to rebuild trust between councillors, officers and the community.

For the Isle of Wight Council to deliver its corporate plan, councillors and staff need to collaborate to understand planning policy and the resultant rules and regulations and what they mean for all involved in planning and the benefits of an agreed Island Plan. The Island Plan plays a key role in delivering the objectives of the council's corporate plan. It cannot do so until it is adopted and therefore the corporate plan is at risk of not being delivered.

The council needs to urgently review the constitution and procedural rules to effectively deliver the council's democratic function. A review of the code of practice for councillors and officers should be undertaken as a matter of urgency. A review of protocols would benefit from a joint input from both councillors and officers. Support for this should come through councillor and officer training and development opportunities regarding both the democratic function and planning matters.

The planning committee at the Isle of Wight Council is an important interface between the council and the community. A committee that operates effectively will give assurance to all those involved in the planning process. Decisions made objectively and professionally enhance the reputation of the council and give confidence to residents, investors and stakeholders. To achieve this all councillors need to be well trained in the complexities of the planning system and adhere to the stringent process and procedural rules involved.

The council needs to improve its approach to communication in relation to planning issues. This should be with all stakeholders to effectively engage them and openly discuss how different views about developments can match the needs present in those communities.

There is an evident need for improvements in planning department outcomes, particularly for stakeholders external to the council in terms of speed and communication of decision-making. A number of recommendations to develop the planning service are contained herein.

Recommendations

R1 Urgently review the constitution and procedural rules to effectively deliver the council's democratic function.

The existing constitution is comprehensive in its scope but requires a refresh, in particular a review of the code of practice for councillors and officers should be undertaken as a matter of urgency. A review of protocols would benefit from a joint input from both councillors and officers.

R2 Support this through member and officer training and development opportunities on both the democratic function and planning matters.

Support more useful and appropriate councillor behaviours through on-going training, development and learning opportunities to embed behaviours to create a sustainable culture.

R3 There is a need to rebuild trust between councillors, officers and the community.

The planning function, which includes both councillors and officers, is dealing with a number of issues that cause it to function sub-optimally. There was evidence from different sources outlining how it doesn't work and causes unexpected outcomes.

R4 Urgently finalise and adopt the Island Plan.

The local plan provides a degree of certainty for communities, businesses and investors, and a framework for guiding decisions on individual planning applications. Without one it is possible for the submission and acceptance of developments that are deemed not in the public interest and outside of the needs and priorities of local people, as outlined in a local plan.

R5 Improve communication.

Presently there is a lack of effective communication between councillors and officers, and those in the planning service, other stakeholders and the public at large. This needs to change. Better communication will improve understanding, build relationships and ultimately improve outcomes.

R6 Need for Improvements in planning outcomes.

The planning service needs to embark upon a programme of improvement. This includes both councillors and officers at all levels in the service. This work will have several aspects to it that the detailed recommendations in this report cover in greater detail from page 14 onwards.

3 Context

- 3.1 The population of the Isle of Wight is heavily skewed towards older age groups and has been for some time. It is clear from data that the Island loses young people for educational and employment advancement and imports older folk who seek to retire there. This raises house prices making it more difficult for the young to afford homes. Furthermore, developers then see that there is a robust market and seek to fill it with comparatively expensive homes.
- 3.2 The wages and productivity on the Isle of Wight are lower than the national average because there are higher levels of employment in the retail, care and hospitality sectors, the first and last of which are very seasonal and can be dependent upon the weather.
- 3.3 The resulting recruitment pressures in tourism, in that there are more jobs in the summer, impact on the care sector as it restricts the available workforce and there is also the related issue that tourism work is seen as more attractive than care sector work.
- 3.4 As the Island is a very attractive place the high quality of the Island's natural environment creates significant challenges in that house building is difficult in the Area of Outstanding Natural Beauty that covers 50 per cent of the Island. Furthermore, there is pressure to build houses, and there is a realisation amongst those involved in house building that brownfield sites are often unviable, therefore there is a desire to use greenfield sites, which in turn creates strong local opposition.
- 3.5 The way that public sector finances are presently structured requires an increased revenue generation from business and residential growth. Therefore the need to build and develop is linked to the financial stability of the council and other public sector bodies.

4 Recent history

- 4.1 In May 2021 the electorate returned an Alliance Administration of independent and Green councillors taking control of the council. The leader of the council was elected with support from the single councillors from the Liberal Democrats and Vectis Party.
- 4.2 A new corporate plan 2021 to 2025 has been drawn up by the Alliance Administration which sets out strategic priorities and direction for the period 2021 to 2025. It contains three key actions to be delivered, which are:
 - 1 The provision of affordable housing for Island residents.
 - 2 Responding to climate change and enhancing the biosphere.
 - 3 Economic recovery.
- 4.3 The council and its partners are still dealing with the challenges and consequences of COVID-19, one of which is that there is a post pandemic housing emergency. There has been a significant rise in homelessness presentations in recent years together with a significant increase in the number of people on the housing register. There has also seen a reduction in private rental properties available in the local market due to homes being switched for use into holiday accommodation and the supply of homes has not kept pace with demand.

5 Issues

- 5.1 There have been some challenging councillor behaviours in public meetings that are impacting on councillor/officer relationships. The peer team heard about and witnessed these.
- 5.2 As with all council services over the recent past resources have been reduced within the planning service due to ongoing council-wide budget issues. The planning service, like many others across the country, has struggled to recruit professional staff and the 'grow your own' approach seems to have diminished in impact in recent years. As a result, there are vacant posts, and the use of agency staff is common.
- 5.3 The planning service has had an increase in demands upon it that have been hard to manage, especially during the time of the pandemic. Officers are generally dealing with an average size case load but are also expected to cover Pre-apps and enforcement cases. The team leaders are also allocating new work, signing off reports and decisions and directly managing large teams as well as managing their own caseloads. This stretching of capacity has some unfortunate consequences.
- 5.4 The planning service is seeking to balance different pressures with a finite staff resource delivering statutory and non-statutory work as well as work which is non-fee earning. There are performance indicators for some of the statutory work and so the focus tends to be upon them, but many are accompanied by a fee that does not cover costs. Pre-apps on the other hand can be charged for but do not receive the same attention or priority.
- 5.5 As a result the planning service is trying to manage a significant case load and undertake decision making with a small number of senior staff who are being pulled in different directions. They are stretched between delivering on a large number of cases that require their attention to detailed knowledge and experience in order to make decisions that can have significant repercussions for individuals, localities and businesses as well as managing a staff group that report to them. This is putting the staff concerned under a great deal of pressure and no doubt stress. Solutions need to be found to improve this situation.

6 Vision and leadership

- 6.1 It was clear to the peer challenge team that there is significant passion expressed by both councillors, officers and local people. This is focused on the issues of the day which in this case would appear to be housing, development and growth. But particularly the former. There is considerable local opposition to house building developments by local people and their representatives on the Island. The challenge for all concerned is to consider how the passion for One Island, One Council can be harnessed to enable councillors and officers to work together effectively. This should be done within a framework of respect for others and their differing views and motivations.
- 6.2 For the Isle of Wight Council to deliver its corporate plan, councillors and staff need to collaborate to understand planning policy and the resultant rules and regulations and what they mean for all involved in planning and the benefits of an agreed Island Plan. The Island Plan plays a key role in delivering the objectives of the council's corporate plan. It cannot do so until it is adopted and therefore the corporate plan is at risk of not being delivered.

As well as making national planning policy easily accessible, the National Planning Policy Framework does a number of important things:

It makes clear that local and neighbourhood plans are central to the operation of the planning system and emphasises the legal requirement that applications for planning permission must be decided in accordance with these plans unless there are other important factors (material considerations) which indicate otherwise.

local plans are the key documents through which local planning authorities can set out a vision and framework for the future development of the area, engaging with their communities in doing so. local plans address needs and opportunities in relation to housing, the local economy, community facilities and infrastructure. They should safeguard the environment, enable adaptation to climate change and help secure high quality accessible design. The local plan provides a degree of certainty for communities, businesses and investors, and a framework for guiding decisions on individual planning applications. Without one it is possible for the submission and acceptance of developments that are deemed not in the public interest and outside of the needs and priorities of local people as outlined in a local plan.

- 6.3 While there have been some questionable behaviours by a small number of councillors at a number of different public meetings, all councillors have a role in explaining the positive impacts of sustainable development and inward investment to their residents and the electorate at large. Councillors need to think strategically when it comes to planning matters and not purely focus on local ward issues.
- 6.4 As a result strong leadership is required from everyone at Isle of Wight Council to deliver the corporate objectives. This is a central, and by no means easy task for the leader, cabinet portfolio holders, overview and scrutiny, and backbench councillors. As well as for the chief executive and her team of strategic directors such as the monitoring officer and other senior staff. The peer challenge team were under no illusions as to the difficulty faced by those involved trying to square the circle of national policy and funding, council priorities and the strongly held ambitions by local people. This will require cross party working.

7 Planning committee

- 7.1 The planning committee at the Isle of Wight Council is an important interface between the council and the community. A committee that operates effectively will give assurance to all those involved in the planning process. Decisions made objectively and professionally enhance the reputation of the council and give confidence to residents, investors and stakeholders. To achieve this all councillors need to be well trained in the complexities of the planning system and adhere to the stringent process and procedural rules involved.

In the work of the planning committee there is a positive focus on strategic applications reflecting a previous Planning Advisory Service (PAS) peer review of the service in 2016, which drew attention to the issue of high numbers of planning applications going to committee. This has been successfully addressed under the rules of delegation to relevant officers to streamline committee work and is a significant positive improvement.

- 7.2 The peer challenge team suggest that everyone involved in the work of the planning committee should engage in regular, scheduled learning for all involved to review cases, policies and outcomes. This approach to reflective practice (possibly using an action learning set approach) encourages all participants to reflect upon their contributions to planning committee and how this affects others and how it helps the whole group achieve its stated aims. The peer team suggest that this includes the re-introduction of the programme of site visits to review “The good, the bad and the ugly” as they are called locally, and which were halted due to COVID-19. These visits take all those involved literally and metaphorically to a different place, enabling councillors and officers to develop relationships through formal and informal conversations and interactions. It is important to build trust together by learning together and this would be one way of achieving that.

Another approach to learning to raise awareness of individual’s behaviours in meetings is to use organisations who use drama based learning techniques to explore behaviours, change mindsets and enhance relationships at work. These take participants into a safe, creative space to explore their actions and behaviours in work settings to improve effectiveness. The planning committee should consider exploring this style of learning with companies like Role Plays for Training (www.rpft.uk) or RADA in Business (www.radabusiness.com). The outcomes they achieve can be transformative.

- 7.3 A further recommendation from the peer team is to raise the awareness for Councillors of the risk to legal challenge and costs of unguarded comments made in Committee. This has been an issue that was raised by a variety of people with whom we spoke whilst onsite. Councillors on the Planning Committee are not only enacting the role of democratic representative for their constituents but also as a member of the Planning Authority. This can cause conflict – which has been raised as an issue – but there is always the need to appear impartial and able to deliver on the legal quasi-statutory rules involved. There is also the related and important issue of the need for Councillors to declare all conflicts of interest fully and consistently. This will protect the Council from potential legal challenges and ensure open and transparent decision making, protecting the Council’s reputation.
- 7.4 To further address some of the behavioural issues that have occurred in planning committee and described to the peer team there is the need for greater clarity on the different roles councillors play on the planning committee.

Changes in the Localism Act 2011 clarified the ability of councillors to be able to discuss matters which may relate to a planning application prior to voting on that application at committee, as long as they can show that they are going to make their judgement on the application with an open mind, listening to all the evidence and not having pre-determined their decision (Ref: Plain English guide to the planning system, page 6, Department for Communities and Local Government, pub. January 2015).

The LGA/PAS document Probity in Planning, page 8 states that:

“Members of a planning committee, local plan steering group (or full Council when the local plan is being considered) need to avoid any appearance of bias or of having predetermined their views before taking a decision on a planning application or on planning policies.

The courts have sought to distinguish between situations which involve predetermination or bias on the one hand and predisposition on the other. The former is indicative of a ‘closed mind’ approach and likely to leave the committee’s decision susceptible to challenge by Judicial Review.

Clearly expressing an intention to vote in a particular way before a meeting (predetermination) is different from where a councillor makes it clear they are willing to listen to all the considerations presented at the committee before deciding on how to vote (predisposition). The latter is alright, the former is not and may result in a Court quashing such planning decisions.”

These issues and the councillors awareness of them needs to be understood by all elected members on the Isle of Wight Council planning committee.

8 Planning service – development management issues

- 8.1 The national statistics reflecting the work of the planning service indicate very effective service delivery. The Key Performance Indicators such as the percentage of all planning applications processed within agreed timescales look very good and are above the provisional national average for all English unitary authorities in major and other categories of application.
- 8.2 However, it is also true to say that there is a backlog of over 200 unresolved cases that are more than a year old, and some are more than four years old. It is likely that many of these are effectively closed but action should be taken to formalise this. There was evidence to suggest that there are severe delays to legal agreements (s.106) and pre-application advice. The work of pre-application advice done well improves decision-making and the quality of planning outcomes, but it does require the investment of time upfront. There are good practice examples on how pre application work can add significant value to the planning process, these are referenced at the end of this report.
- 8.3 It was interesting to the peer team that we heard two contrasting stories about the experience of the planning service from internal and external stakeholders. Those partners within the council were very positive about the quality, professionalism and responsiveness of their colleagues in the planning service. This was consistent across all Isle of Wight Council staff with whom we spoke and appears to be something that has been consistently so for several years. This is a testament to the abilities of those in the planning service. However, this contrasted strongly with those external partners who were very unhappy with the service they receive. This included applicants, agents and town and parish councils as well as national stakeholders. They reported that they do not routinely get answers to emails or phone calls enquiring about the progress of an application. One person with whom we spoke described the service as 'broken', which sounded somewhat extreme, however the number and type of examples that supported this contentious claim led the peer team to believe that there is truth to this view for external stakeholders. This is not the case for internal stakeholders.
- 8.4 Further evidence supported the view that external customers experience very limited access to, and engagement of, planning officers in the consideration of and responses to their planning applications. This was reported to be, in part, due to what was described as a 'bottleneck' of decision making within the structure of the service. From evidence the peer team heard and saw we deduce that only a small number of four or five officers are presently tasked with making decisions on applications and pre-application advice. These same officers are also managing a significant number of direct reports and allocating work to the team, which means their capacity is very limited and thus leads to delays and shortfalls in the service to external stakeholders. The service needs to be able to make decisions confidently and in a timely fashion. This is a reputational risk to the planning service as a function and to the council as a whole.
- 8.5 The enforcement of planning is equally as important as the local plan and planning application process; without it the other processes are undermined. However, the expectations around effective enforcement need to be carefully managed through a clear strategy and clear processes. Town and parish councils' expectations are not being met. These councils have committed

resources to enforcement and a refreshed enforcement strategy will ensure that these resources are used effectively.

Recommendations

- 8.5 To address the issues outlined above the planning service should promptly initiate a systematic review of the planning processes from start to finish to understand what is efficient and effective in the service and where it can improve. There are several approaches which could be chosen to deal with this. There are a range of system review toolkits and approaches available including the PAS development management toolkit. Other approaches such as lean process reviews look at 'as is' and 'to be' processes which can identify some quick wins in the efficiency and effectiveness of service delivery.

Some of the outcomes to be achieved include considering whether staff in the administrative team could allocate applications and other work to free up team leaders. The introduction of a structured hierarchy so that direct line management is shared between more people and the use of short and quick 'in principle' responses to pre-applications.

- 8.6 The service should also urgently review enforcement strategy to ensure better understanding for stakeholders of the powers available. It was not clear to the peer team whether the tests that apply to enforcement were being used to deliver the best outcomes nor whether customers understand the tools used and all the issues involved. Enforcement can be a cumbersome tool taking years to reach an outcome however, training in enforcement would help provide clarity on its limitations and help manage expectations.
- 8.7 The planning service should consider a proactive approach to communications with all stakeholders. This would take the form of, for example, discussions with councillors, communities and town and parish councils about what the tools of the service are and the reality of enforcement issues. This relationship building and demand management should over time change the relationship between the planning service and external stakeholders. This obviously has implications for the skill set and resources within the service that will need to be worked out.
- 8.8 In this service transformation there are also implications for how information technology is used to support the processes involved. One example would be for an improved notification process to councillors and town and parish councils of new planning applications. This could be done by Ward to make it easier to follow.
- 8.9 The planning service needs to actively seek customer feedback to baseline any improvements upon facts rather than myths or potential defensiveness. This would then enable a plan to be drawn up and actions prioritised for improvement.
- 8.10 For the service to get back on a level playing field there is an urgent need to address the backlog of outstanding cases including applications, pre-application advice and enforcement complaints. It should be concluded for each case, whether they need to be withdrawn or determined. The backlog of pre-application advice needs to be cleared to get the service into a fully functioning state and could be addressed by a short term increase in resources.

- 8.11 Having completed the systematic review and addressed the short term issues through the use of increased short term resources, consider the long term resource requirements of the planning service. There are some very good staff within the service that can lead this change. This will include improving knowledge and skills through training, mentoring and coaching and other continuing professional development opportunities so that a greater number of people can be delegated to make decisions. At the same time this should enable the health and wellbeing of the service to be maintained through effective support and oversight. No doubt there will be the need to use external expertise where required and it is important to review the staffing structure to ensure there is clarity of role throughout so that the service uses the right people with the right skills to do the right work. The service should also re-introduce the 'grow your own' approach to recruitment.

A key outcome from much of this work will be to empower staff to make decisions at the lowest tier possible.

9 Partners and partnerships

- 9.1 With reference to the overall approach to partners and partnerships the planning service could reach out to partners to increase resources and improve service delivery. An example the peer team were made aware of is with Historic England who are willing to put some resource into joint work. There appears to be a number of other partners who are willing to work in this way on projects of mutual benefit which are worth exploring.
- 9.2 In order to understand how the council is going to deliver affordable homes there is a request from Housing Associations to re-establish the strategic housing partnership to discuss potential developments that are in the 'pipeline' and how these can be differently prioritised. This would look at what sites are planned, what sites are not moving forward, for what reasons and how could partners work together with the council to unblock these. This would improve developer confidence and investor certainty in bringing allocated, rather than speculative sites forward for development. In this way the planning service should be looking to work collaboratively with partners to seek better outcomes.
- 9.3 It is early and on-going informal dialogue that improves understanding and working relationships that the service should seek to incorporate this into its typical working activity. This would be a significant change to the existing culture of the planning service and will take some time to embed.
- 9.4 There should also be the consideration of introducing portfolio holder input into the developer forum to allow democratic oversight. The developer forum is perceived by councillors as a secret club where back room deals are done, not as a helpful way of meeting local need and achieving local plan targets. By having a councillor in the room and published notes of the meeting (recognising there will be commercially sensitive discussions which will be confidential) this should help to rebuild trust between councillors and officers whilst also giving councillors increased confidence in the process.

10 Answering the six scope questions

The Isle of Wight Council posed six questions to the peer challenge team about the Planning function which are listed in *italics* and answered in **bold** below.

Scope question 1

1. Whether the draft local plan is aligned to deliver the objectives of both the corporate plan and the council regeneration strategy.

Yes, the draft local plan is aligned to deliver the objectives of both the corporate plan and the council regeneration strategy.

The draft local plan provides a means to deliver the priorities of the corporate plan. The council also needs to recognise the presumption in favour of sustainable development and the threat of government intervention if the local plan is not adopted. Without an up-to-date local plan there is a risk to delivering the corporate objectives.

Scope question 2

2. The capacity of the planning service to encourage, manage and support the implementation of the regeneration strategy and the associated journey of planning applications.

Planning officers are held in high regard, however there is widespread concern about delays in determination and workloads, particularly to external stakeholders, which is impacting on the team's ability to communicate effectively and add real value to the development process.

Scope question 3

3. A review of the 'customer focus' of the service and is it perceived as being open for growth? (Anti or pro development).

The planning service has received mixed views on the customer responsiveness. Internal customers praised officers, however, external applicants were less complementary about communication and timescales. The wider 'service' was not perceived as either being anti or pro development. Officers were considered to be neutral, but councillors were perceived as being anti-development.

Scope question 4

4. The processes and technology deployed in the planning application journey.

The website needs to continue to improve to allow self-service and help manage demand.

There is room for improvement in internal processes such as notification of receipt of applications and correspondence using IT solutions. Systematic review of processes will identify further areas for improvement.

Scope question 5

5. The level of corporate, political and managerial understanding of, and support to, the planning service, and if it is sufficient to enable the adoption of a local plan which delivers the regeneration strategy.

This needs to improve across all areas. Strong corporate, political and managerial leadership is required to deliver a local plan. Councillors and officers need to work together collaboratively to take ownership of the local plan as a delivery vehicle for the wider council ambitions. Consideration should be given to the establishment of a local plan panel/committee, which will increase transparency and engagement in the process.

Scope question 6

6. Assess the operation of the Planning Committee and comment on areas that might assist in driving improvement in decision making.

Planning committee performance has resulted in reputational damage to the council. Behaviour of a few councillors needs to change, and a review of the constitution and protocols is urgently required. There is a need for regular joint training, briefing and learning to ensure sound decision making.

11 LGA support

- 11.1 Our recommendations are aimed at ongoing improvement to support high quality performance in areas of the planning service. The Local Government Association and the Planning Advisory Service will look to support the council where it can best use and focus its resources and we list below some relevant resources and tools.

Planning Advisory Service – further support

The Planning Advisory Service (PAS) offers a wealth of information, tools and activities. Information is available at: www.pas.gov.uk

We have listed some specific areas of information and support relevant to the recommendations from the peer challenge. This list is not a prescriptive ‘menu’ but something that can be used as the council considers how to respond to some of the challenges in this report. Also, if there is anything not covered below that you think would be useful given the report recommendations, please get in touch to discuss.

Peer support

The LGA can offer officer peers to continue to offer support where appropriate. This will be dependent on availability and the specific issues required. It would be helpful if such requests could be channelled through the LGA.

Development Management (DM) tools: PAS has produced a suite of materials which should help with various aspects of the development management process. These are available to download and use.

- **DM Challenge kit:** This latest version of the PAS development management challenge toolkit provides a ‘health check’ for planning authorities and acts as a simple way to develop an action plan for improvements to their development management service:
Development management challenge toolkit | Local Government Association (www.local.gov.uk/pas/development-mgmt/development-management-challenge-toolkit)
- **Pre-app processes:** PAS has a number of pre-application resources available to download and use:
Pre-application advice and planning performance agreements (PPAs) | Local Government Association (www.local.gov.uk/pas/development-mgmt/pre-application-advice-and-planning-performance-agreements-ppas)
- **Project managing major applications:** PAS has produced a new note about handling major applications:
Project managing major planning applications | Local Government Association (www.local.gov.uk/pas/our-work/pas-archive/project-managing-major-planning-applications)

Help and support for councillors: The LGA and PAS can provide support and mentoring for councillors.

PAS is holding several leadership essentials courses to deal with current topics in planning such as the Government's new changes to the planning system, the political role in leading planning services, and developer engagement and development viability:

Councillors | Local Government Association (www.local.gov.uk/pas/councillors)

Best practice examples from the peer challenge team

Cornwall Council

Enforcement guidance and policy – Cornwall Council

www.cornwall.gov.uk/media/2dhmg1xc/cornwall-council-planning-enforcement-plan.pdf

www.cornwall.gov.uk/planning-and-building-control/planning-enforcement/your-guide-to-planning-enforcement-and-its-powers

Council of the Isles of Scilly

An example of housing conditions – Council of the Isles of Scilly

Principal Residence Condition C9

The dwelling houses [at plot numbers: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 Inclusive], hereby approved, shall not be occupied otherwise than by persons as their only or principal homes and the occupants shall supply to the local planning authority (within 14 days of the local planning authority's request to do so) such information as the local planning authority may reasonably require in order to determine compliance with this condition.

Reason: To ensure that new housing stock is prevented from being used as a second or holiday home to help maintain the social wellbeing of communities in accordance with Policy 3 the adopted Isles of Scilly local plan (2005) and policy LC2 of the emerging Isles of Scilly local plan (2015-2030).

12 Next steps

It is recognised that the senior political and managerial leadership and the planning function as a whole will want to consider, discuss and reflect on these findings. Both the peer challenge team and LGA are keen to build on the relationships formed through the peer challenge.

In the meantime, **Will Brooks, Principal Adviser for South East England**, is the main contact between your authority and the Local Government Association. Will is available to discuss any further support the council requires and is available on email: william.brooks@local.gov.uk, or telephone: 07949 054421.

Thank you for your engagement in this work.

On behalf of the peer challenge team June 2022

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If you have difficulty in understanding this document, please contact us on 01983 821000 and we will do our best to help you.